

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DEUTSCHE LEASING USA, INC.,)
Plaintiff,)
v.) Case No. 18-cv-07982
INTERNATIONAL IRON, LLC and)
JON M. HALL, JR.,) Honorable John Z. Lee
Defendants.)

AFFIDAVIT OF JON M. HALL, JR.

Defendant, JON M. HALL, JR., being duly sworn, states that if he were called to testify in the captioned case, he would testify as follows:

1. I am an adult and competent.
2. The statements made in this Affidavit are based on my personal knowledge.
3. Since 2015, I have been a resident of Orange County, Florida and Volusia County, Florida.
4. I do not own any real estate or conduct any business in the State of Illinois.
5. At all times relevant to this action, I have been the President and Chief Executive Officer of International Iron, LLC (“International Iron”).
6. International Iron is a dealer of commercial construction and agriculture equipment.
7. International Iron’s sole place of business is located in Orange County, Florida, at 2325 Clark Street, Apopka, FL 32703.

8. In 2015, International Iron partnered with Liebherr Mining and Construction Equipment, Inc. to become a dealer for Liebherr equipment, exclusively in the central and north Florida markets.

9. Liebherr provided International Iron with a “short list” of its approved lenders who could provide financing for International Iron’s purchase of Liebherr equipment for resale. One of the lenders on the list was Deutsche Leasing USA, Inc.

10. Liebherr introduced me and another officer of International Iron to Deutsche Leasing representatives via telephone.

11. When the decision was made to move forward with securing financing through Deutsche Leasing, all negotiations took place over the telephone, and all documents were sent via email by Deutsche Leasing to me in Florida to review.

12. Ultimately, on or about October 19, 2015, I signed a Floor Plan Financing Agreement (“Financing Agreement”) on behalf of International Iron at my office in Florida.

13. On or about October 26, 2015, I signed a Personal Guaranty agreement at my office in Florida.

14. International Iron’s payments to Deutsche Leasing under the Financing Agreement were made by International Iron’s comptroller to Deutsche Leasing in Chicago, Illinois.

15. All Liebherr equipment acquired by International Iron using funds advanced by Deutsche Leasing was kept at all times at International Iron’s facility in Apopka, Florida, or elsewhere in International Iron’s rental fleet within its central or north Florida sales region, as required by the Financing Agreement.

16. I did not meet any representative from Deutsche Leasing face-to- face until some time after signing the Financing Agreement and Guaranty. On that occasion, a Deutsche Leasing

representative, who happened to be traveling in Florida at the time, contacted me and a brief meeting was arranged.

17. I never traveled to the State of Illinois to negotiate or perform any term of the Financing Agreement or the Guaranty.

18. I never asked or directed any employee of International Iron to travel to the State of Illinois to negotiate or perform any term of the Financing Agreement or Guaranty.

19. The last time I traveled to Illinois was approximately 19 years ago.

20. In accordance with 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

FURTHER AFFIANT SAYETH NAUGHT

JON M. HALL, JR.,

By:  _____

EXHIBIT B

U.S. District Court — Judicial Caseload Profile

ILLINOIS NORTHERN		12-Month Periods Ending						Numerical Standing Within			
		Sep 30 2013	Sep 30 2014	Sep 30 2015	Sep 30 2016	Sep 30 2017	Sep 30 2018				
Overall Caseload Statistics	Filings ¹		11,570	11,326	13,013	13,981	10,822	10,547	U.S. 73 Circuit 7		
	Terminations		11,373	10,666	11,204	10,669	11,535	11,023			
	Pending		12,268	12,862	14,612	17,907	17,237	16,764			
	Percent Change in Total Filings Current Year Over Earlier Year		-8.8	-6.9	-19.0	-24.6	-2.5				
Number of Judgeships			22	22	22	22	22	22			
Vacant Judgeship Months ²			36.0	13.0	1.0	0.0	18.3	35.9			
Actions per Judgeship	Filings	Total	526	515	592	636	492	479	52 7		
		Civil	464	473	548	598	453	435	22 4		
		Criminal Felony	44	30	33	28	32	36	88 7		
		Supervised Release Hearings	18	13	10	9	6	9	86 6		
	Pending Cases ²		558	585	664	814	784	762	16 2		
	Weighted Filings ²		457	444	436	429	445	452	44 5		
	Terminations		517	485	509	485	524	501	40 6		
	Trials Completed		13	12	12	12	11	10	78 6		
	From Filing to Disposition	Criminal Felony	17.4	17.8	20.1	19.3	19.8	17.6	90 7		
		Civil ²	6.7	7.1	7.2	7.3	8.5	7.6	24 2		
Median Time (Months)	From Filing to Trial ² (Civil Only)		32.2	35.3	34.9	39.4	36.8	37.8	51 5		
	Number (and %) of Civil Cases Over 3 Years Old ²		988 9.7	1,062 9.6	1,341 10.5	1,327 8.2	1,613 10.5	3,389 22.8	88 7		
	Average Number of Felony Defendants Filed per Case		1.5	1.4	1.6	1.3	1.3	1.3			
Other	Jurors	Avg. Present for Jury Selection	42.2	41.9	44.7	49.6	47.0	48.2			
		Percent Not Selected or Challenged	36.7	32.8	39.1	41.5	37.8	37.7			

2018 Civil Case and Criminal Felony Defendant Filings by Nature of Suit and Offense

Type of	Total	A	B	C	D	E	F	G	H	I	J	K	L
Civil	9,560	476	549	1,671	21	110	1,002	818	538	826	1,411	68	2,070
Criminal ¹	788	4	262	54	173	128	74	27	1	16	7	7	35

NOTE: Criminal data in this profile count defendants rather than cases and therefore will not match previously published numbers.

¹ Filings in the "Overall Caseload Statistics" section include criminal transfers, while filings by "Nature of Offense" do not.

² See "Explanation of Selected Terms."

U.S. District Court — Judicial Caseload Profile

FLORIDA MIDDLE		12-Month Periods Ending						Numerical Standing Within			
		Sep 30 2013	Sep 30 2014	Sep 30 2015	Sep 30 2016	Sep 30 2017	Sep 30 2018				
Overall Caseload Statistics	Filings ¹		10,399	10,332	10,260	11,103	10,340	10,734			
	Terminations		11,669	10,556	10,886	11,190	11,056	10,781			
	Pending		9,227	9,040	8,518	8,505	7,997	8,098			
	Percent Change in Total Filings Current Year Over Earlier Year		3.2	3.9	4.6	-3.3	3.8				
Number of Judgeships			15	15	15	15	15	15			
Vacant Judgeship Months ²			19.1	14.1	5.9	24.0	25.0	35.5			
Actions per Judgeship	Filings	Total	693	689	684	740	689	716	14 3		
		Civil	563	566	558	617	551	571	9 3		
		Criminal Felony	101	95	99	92	103	108	33 5		
		Supervised Release Hearings	29	27	27	31	35	37	46 4		
	Pending Cases ²		615	603	568	567	533	540	33 3		
	Weighted Filings ²		604	593	618	617	584	628	13 4		
	Terminations		778	704	726	746	737	719	10 1		
	Trials Completed		22	19	20	19	17	19	35 6		
	From Filing to Disposition	Criminal Felony	7.4	7.2	7.3	7.3	7.1	6.9	16 4		
		Civil ²	9.2	7.7	7.9	7.1	6.9	6.3	13 2		
Median Time (Months)	From Filing to Trial ² (Civil Only)		19.8	23.3	22.2	22.0	24.7	22.1	15 2		
	Number (and %) of Civil Cases Over 3 Years Old ²		1,423 18.9	1,111 15.1	403 6.0	241 3.5	268 4.3	341 5.4	40 6		
	Average Number of Felony Defendants Filed per Case		1.2	1.2	1.4	1.3	1.3	1.3			
	Jurors	Avg. Present for Jury Selection	37.0	38.2	37.1	37.2	37.3	44.7			
		Percent Not Selected or Challenged	25.4	28.6	26.6	24.7	25.1	37.0			

2018 Civil Case and Criminal Felony Defendant Filings by Nature of Suit and Offense

Type of	Total	A	B	C	D	E	F	G	H	I	J	K	L
Civil	8,561	734	322	2,037	18	78	919	886	643	221	1,197	8	1,498
Criminal ¹	1,621	2	631	368	231	153	31	93	11	58	7	14	22

NOTE: Criminal data in this profile count defendants rather than cases and therefore will not match previously published numbers.

¹ Filings in the "Overall Caseload Statistics" section include criminal transfers, while filings by "Nature of Offense" do not.

² See "Explanation of Selected Terms."